

**ONEIDA JUDICIARY**  
Tsi nu téshakotiya?tolétha?

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**TRIAL COURT**

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**Oneida Nation / Oneida Police Department,  
Petitioners**

v.

**CASE NO: 23-CT-043**  
**DATE: June 12, 2023**

**Michael L. Hill,  
Defendant**

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**FINAL ORDER AND SATISFACTION**

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This case has come before the Oneida Trial Court, Honorable Layatalati Hill presiding.

**BACKGROUND**

A citation, 23-CT-043, was issued to the Defendant on April 18, 2023, for violating Oneida Code of Laws section 309.10-3, Depositing Human Waste, 1<sup>st</sup> offense.

**FINDING OF FACTS**

1. The Court has subject matter and personal jurisdiction over this matter.
2. The Defendant received proper notice.
3. The Defendant was issued a citation on April 18, 2023, for Depositing Human Waste, 1<sup>st</sup> offense.
4. The Defendant was not required to appear.
5. The Defendant paid the fine amount of \$100.00 in full on May 1, 2023.
6. By paying the fine amount before the pre-trial hearing date and not contesting the non-mandatory appearance citation, Defendant's court costs are waived.
7. Defendant is found guilty of violating the Public Peace law section 309.10-3.

**PRINCIPLES OF LAW**

**Oneida Code of Laws Title 3. Health and Public Safety - Chapter 309 Public Peace:**

309.10-3. *Depositing Human Waste.* A person commits the civil infraction of depositing human waste if he or she urinates or defecates upon any public or private property other

than into a toilet or other device designed and intended to be used to ultimately deposit such human waste products into a septic or sanitary sewer system.

**Oneida Code of Laws Title 8. Judiciary – Chapter 801 Judiciary: Rule #1 Oneida Trial Court**

**Rules:**

1.17-1. This section shall govern the procedures for citation hearings.

(b) If a Defendant does not contest the violation and appearance is not mandatory, the Defendant may pay the fine in full before the pre-trial trial hearing day and the Court cost/fees will be waived.

**ANALYSIS**

The Defendant was cited for a violation of section 309.10-3, Depositing Human Waste. The Defendant is not required to appear for such violation. In accordance with the Oneida Trial Court Rules, Rule #1, section 1.17-1(b), if a Defendant does not contest the violation and appearance is not mandatory, the Defendant may pay the fine in full before the pre-trial hearing day and the court costs will be waived. Here, Defendant did not contest the violation and Defendant's appearance is not mandatory. Defendant paid the fine amount of \$100.00 in full before the pre-trial hearing date. As a result, the court costs of \$25.00 are waived. Therefore, Defendant satisfied the citation, and the case must be closed.

**ORDER**

1. Defendant is found guilty of violating the Public Peace law section 309.10-3.
2. The Defendant paid all amounts due as described below:
  - a. 23-CT-043: 1<sup>st</sup> offense, Depositing Human Waste – 309.10-3.

<b>Fine:</b>	<b>\$100.00 (paid)</b>
<b>Court Costs:</b>	<b><u>\$25.00</u> (waived)</b>
<b>Amount owed by Defendant:</b>	<b>\$0.00</b>

3. Defendant has satisfied this citation.
4. This case shall be removed from the Court calendar.
5. This Case is closed.

**The parties have the right to appeal within 30 calendar days in accordance with the Nation's laws.**

IT IS SO ORDERED.

By the authority vested in the Oneida Judiciary pursuant to Resolution 01-07-13-B of the General Tribal Council this Order is signed on June 12, 2023.

  
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Layatalati Hill, Chief Trial Court Judge